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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,118	07/13/2001	Emer B. Natalio	1821P	8451
29141	7590	11/02/2006	EXAMINER	
SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303			JEAN GILLES, JUDE	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/905,118

Applicant(s)

NATALIO, EMER B.

Examiner

Jude J. Jean-Gilles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,8,10-12,14,15,17 and 19-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8,10-12,14,15,17 and 19-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Action is in regards to the Reply received on 08/01/2006. Claimed priority is granted from provisional application No: 60218428 with a priority date of 07/14/2000.

#### ***Response to Amendment***

1. This action is responsive to the application filed on 07/13/2001 and in regards to the Reply received on 08/01/2006. Claims 1, 4, 6, 8, 11, 14, 15, 17, 19, 22, 25, 26, 27 and 28 have been amended. Claims 2, 13, 16 and 18 have been cancelled. Accordingly, claims 1, 3-6, 8, 10-12, 14, 15, 17 and 19-31 remain pending in the present application and represent a method and apparatus for an **"METHOD TO DISTRIBUTE INFORMATION IN AN AIRPORT."**

#### ***Response to Arguments***

2. Applicant's arguments with respect to independent claims 1, 22, 26, 27, and 28 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new ground of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., a method wherein a public wireless carder network functions as a gateway to distribute airport information for the wireless Internet enabled communication device) to the claims which significantly affected the scope thereof.

The dependent claims stand rejected as articulated in the Previous Office Action

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and all objections not addressed in Applicant's response are herein reiterated.

In response to Applicant's arguments, 37 CFR § 1.11(c) requires applicant to "clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must show the amendments avoid such references or objections."

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8, improperly ends without a period.

Appropriate correction is required. The above noticed problem is just exemplary.

Applicant is required to totally check the application for error and correct the same.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims** 1, 3-6, 8, 10-12, 14, 15, 17 and 19-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over McNicol et al (McNicol) in view of Richton et al. (Richton), U.S. Patent No. 6,650,902 B1.

Regarding **claim 4**, McNicol discloses the invention substantially as claimed. McNicol teaches a an airport information distribution system comprising:

at least one airport data center, the at least one airport data center including a an airport information database and a server coupled to the airport information database (fig. 1, item 22, 24; column 3, lines 12-48);

a network coupled to the at least one data center (fig. 1, item 22, 24; column 3, lines 12-48; fig. 7); and

an information distribution system coupled to the network; the information distribution system including a server system coupled to the network for receiving information from the at least one airport data center and for providing and receiving data from a communication device concerning airport information wherein the wireless Internet enabled communication device is utilized to select an airport and select a language and wherein the wireless Internet enabled communication device is

utilized to select a set of airport related resources after the airport and the language are selected (fig. 7; column 7, lines 6-56; column 8, lines 1-62);

wherein a public wireless carrier network functions as a gateway to distribute airport information for the wireless Internet enabled communication device (figs 6, and 7).

However applicant argues that McNicol does not disclose the details of a system wherein a public wireless carrier network functions as a gateway to distribute airport information for the wireless Internet enabled communication device.

In the same field of endeavor, Richton discloses "wireless telecommunications system uses location or position information of a wireless mobile unit to initiate the sending of location-specific information to travelers. As position information is received, it is compared to prestored position information of a remote location, such as an airport..."[see Richton, abstract]... and "...FIG. 2 is a schematic diagram of a wireless telecommunication system including the location-based server 221 of a preferred embodiment of the present invention. The system includes a wireless switching center (WSC) 220 connecting the location-based server 221 with base stations 203-1 through 203-4, wherein it is understood that the number of base stations is exemplary only. Such a system is capable of: (1) providing wireless telecommunications service to wireless mobile unit 201, including location-based services based on location of the wireless mobile unit 201..." [see Richton, abstract; column 2, lines 59-67; column 8, lines 24-67; column 9, lines 1-36].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Richton's teachings of a method and apparatus wherein a public wireless carrier network functions as a gateway to distribute airport information for the wireless Internet enabled communication device with the teachings of McNicol, for the purpose of providing information particularly useful to the traveler to the output of the wireless mobile unit"

as stated by Richton in lines 3-8 of column 2. Thus, McNicol also provides motivation to combine by stating a need "...to provide a data distribution network that can deliver current information directly to consumers and travelers while they are in the process of either purchasing goods or traveling away from home..." [see *McNicol*, column 2, lines 32-43]. By this rationale **claim 1** is rejected.

Regarding **claim 3**, the combination McNicol-Richton discloses the system of claim 2 wherein the at least one airport data center includes a first firewall. Note that an ordinary skill in the art is well aware of the inherency of installing firewalls in a secure network.

Regarding **claim 4**, The combination McNicol-Richton discloses the system of claim 1 wherein the server system includes;

a server coupled to the network (see McNicol; fig. 1, item 22, 24; column 3, lines 12-48);

a local area network (LAN) coupled to the server (see McNicol; fig. 1; item 10);  
and

a web server coupled to the LAN for receiving airport information from and providing airport information to a the Internet enabled communication device (see McNicol; fig. 1, item 22, 24; column 3, lines 12-48) [see Richton, abstract; column 2, lines 59-67; column 8, lines 24-67; column 9, lines 1-36].;

Regarding **claim 5**, The combination McNicol-Richton discloses the system of claim 1 wherein the airport information database and the database are coupled via a local area network (see McNicol; fig. 1, item 22, 24; column 3, lines 12-48).

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Regarding **claim 6**, The combination McNicol-Richton discloses the system of claim 4 wherein a first firewall is coupled between the server and the public network and a second firewall is coupled between the web server and the Internet enabled communication device. Note that an ordinary skill in the art is well aware of the inherency of coupling firewalls in a secure network.

Regarding **claim 8**, The combination McNicol-Richton discloses the system of claim 7 wherein the communication device can be any of a personal digital assistant (PDA), mobile telephone, personal computer, and laptop device (see McNicol; fig. 1, item 40) that is Internet enabled.

Regarding **claim 10**, The combination McNicol-Richton discloses the system of claim 1 wherein a local area network is coupled between the flight information database and the server of the at least one airport data center (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).

Regarding **claim 11**, The combination McNicol-Richton discloses the system of claim 1 wherein the server system includes;

a second server coupled to the network; a local area network (LAN) coupled to the second server; and a web server coupled to the LAN for receiving airport information from and providing airport information to an Internet enabled communication device (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).



Regarding **claim 12**, The combination McNicol-Richton discloses the system of claim 11 wherein the airport information database and the database are coupled via a local area network (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).

Regarding **claim 14**, The combination McNicol-Richton discloses the system of claim 13 wherein the at least one airport data center includes a first firewall Note that an ordinary skill in the art is well aware of the inherency of installing firewalls in a secure network.

Regarding **claim 15**, The combination McNicol-Richton discloses the system of claim 14 wherein a second firewall is coupled between the second server and the public network and a second firewall is coupled between the web server and the communication device receives its information by use of the public wireless carrier network. Note that an ordinary skill in the art is well aware of the inherency of coupling firewalls in a secure network.

Regarding **claim 16**, The combination McNicol-Richton discloses the system of claim 15 wherein the communication device is wireless (see McNicol; fig. 1, item 40).

Regarding **claim 17**, The combination McNicol-Richton discloses the system of claim 16 wherein the communication device can be any of a personal digital assistant (PDA), mobile telephone, personal computer, and laptop device and is Internet enabled (see McNicol; fig. 1, item 40).

Regarding **claim 19**, The combination McNicol-Richton discloses the system of claim 18 wherein a local area network is coupled between the flight information

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database and the server of the at least one airport data center fig. 1, item 22, 24; column 3, lines 12-48).

Regarding **claim 20**, The combination McNicol-Richton discloses the system of claim 1 wherein the information is in multiple languages. Note that translating information in multiple languages is well known to an ordinary skill in the art.

Regarding **claim 21**, The combination McNicol-Richton discloses the system of claim 19 wherein the information is in multiple languages. Note that translating information in multiple languages is well known to an ordinary skill in the art.

Regarding **claim 22**, The combination McNicol-Richton discloses a method for distributing airport information comprising the steps:

(a) providing an airport information database within an airport data center; (b) initiating a request for information from the airport information database by a wireless communication device (see McNicol; fig. 1, item 22, 24; column 3, lines 12-48); and

(c) selecting an airport and a language via the wireless communication device;(d) initiating a request for information from the second land based airport information database by a wired communication device; and (e) obtaining information related to the request by the communication device in multiple languages; and (f) selecting a set of airport related resources by the wireless communication device after the airport and language are selected (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62);

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(g) obtaining information by the Internet enabled wireless communication device by means of a public wireless carrier network [see Richton, abstract; column 2, lines 59-67; column 8, lines 24-67; column 9, lines 1-36].

Regarding **claim 23**, The combination McNicol-Richton discloses the method of claim 22 wherein the information comprises local resource information which is specific to a particular airport (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).

Regarding **claim 24**, The combination McNicol-Richton discloses the method of claim 23 wherein the local resource information can be any combination of data on flights, baggage location, airport butler, shop finder, transportation system, lodging, directions, local events, local attractions, promotions, feedback, choice of airport and language(see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).

Regarding **claim 25**, The combination McNicol-Richton discloses the method of claim 24 wherein a passenger is notified/alerted by the Internet enabled wireless communication device when a plane is boarding passengers (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).

Regarding **claim 26**, The combination McNicol-Richton discloses a method for distributing airport information comprising the steps:

- (a) providing an airport information database containing flight information database (FID) and baggage information database (BID) within an airport data center;
- (b) selecting an airport and a language via the wireless communication device;
- (c) initiating a request for local resource information from a second land based airport information database by a wireless communication device using a public wireless carrier

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network as a gateway; (d) selecting a set of airport related resources by the wireless communication device; and (e) obtaining information related to the request by the wireless communication device, wherein passengers are notified whether a flight is cancelled, delayed or boarding time, wherein the notification is provided via a short message system (SMS) (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62), [see Richton, abstract; column 2, lines 59-67; column 8, lines 24-67; column 9, lines 1-36].

Regarding **claim 27**, The combination McNicol-Richton discloses a method for distributing airport information comprising the steps :

(a) providing an airport information database containing flight information database (FID) and baggage information database (BID) within an airport data center; (b) selecting an airport and a language via the wireless communication device; (the airport information database (FID) and baggage information database (BID) within an airport data center; (c) initiating a request for local resource information from a second land based airport information database by a wireless communication device using a public wireless carrier network as a gateway; (d) selecting a set of airport related resources by the wireless communication device after the airport and language are selected; and (e) obtaining information related to the request by the wireless communication device, wherein a passenger can obtain about different flights intermingled with advertising, wherein a loyalty program for the passenger is utilized between merchants (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62)

[see Richton, abstract; column 2, lines 59-67; column 8, lines 24-67; column 9, lines 1-36].;

Regarding **claim 28**, The combination McNicol-Richton discloses a method for distributing airport information comprising the steps:

(a) providing an airport information database containing flight information database (FID) and baggage information database (BID) within an airport based data center;(b) selecting an airport and a language via the wireless communication device;(c) initiating a request for local resource information from a second land based airport information database by a wireless communication device; and (d) selecting a set of airport related resources by the wireless communication device after the airport and language are selected;

(e) using a public wireless carrier network as a gateway for the second land based airport information database to exchange its information;

and (f) obtaining information related to the request by the wireless communication device, wherein local transportation information is obtained by the passenger, wherein the modes of transportation are provided, as well as associated advertising (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62) [see Richton, abstract; column 2, lines 59-67; column 8, lines 24-67; column 9, lines 1-36].

Regarding **claim 29**, The combination McNicol-Richton discloses the method of claim 28 which is includes the steps of obtaining information related to the request by the wireless communication device, wherein consumer related information is obtained

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by the passenger, as well as associated advertising (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).

Regarding **claim 30**, The combination McNicol-Richton discloses the method of claim 28 wherein merchants are contacted by a single phone button press (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).

Regarding **claim 31**, The combination McNicol-Richton discloses the method of claim 28 wherein passengers are contacted by broadcast alerts and notifications (see McNicol; fig. 7; column 7, lines 6-56; column 8, lines 1-62).

### ***Response to Arguments***

7. Applicant's Request for Reconsideration filed on 08/01/2006 has been carefully considered but is not deemed fully persuasive. However, because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address Applicants' main points of contention.

A. Applicant contends that the McNicol references neither teach nor suggest the utilization of a data distribution system wherein a wireless Internet enabled communication device is utilized to select an airport and select a language, and wherein the wireless Internet enabled communication device is utilized to select a set of airport related resources after the airport and the language are selected. The present invention is distinct over the prior art by providing travelers with an open architecture and a public distribution system as well as a method to access

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airport information through a selection process with wireless Internet mobile devices.

B. Applicant contends that McNicol references neither teach nor suggest the use of public wireless carder networks (e.g. Sprint, Verizon and T-Mobile) as a wireless gateway conduit for distribution of airport information. McNicol references also neither teach nor suggest how data is to be formatted for wireless Internet mobile devices. Further, McNicol references neither teach nor suggest the use of wireless Internet mobile devices without the need for distribution nodes which are publicly accessible within airports and other required physical

C. Applicant submits McNicol references neither teach nor suggest how the plurality of aircraft arrival, departure places and times as well as baggage sites are consolidated. In addition, the present invention differs in its method for distributing flight data to travelers by a selection process.

8. As to "Point A" it is the position of the Examiner that the Nicol patent in detail teaches the limitations of the above mentioned claims. However, in view of Applicant's remarks, stating that McNicol falls short of teachings these steps, new patent of Richton is used in combination with McNicol to address amendment to the claims as well all related arguments.[see rejection of the independent claims above; also see Richton, abstract; column 2, lines 59-67; column 8, lines 24-67; column 9, lines 1-36].

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9. As to "Points B, and C, see rejection of the independent claims above; also see Richton, abstract; column 2, lines 59-67; column 8, lines 24-67; column 9, lines 1-36].

Examiner notes with delight that no new matter has been added and that the new claims are supported by the application as filed. However, applicant has failed in presenting claims and drawings that delineate the contours of this invention as compared to the cited prior art. Applicant has failed to clearly point out patentable novelty in view of the state of the art disclosed by the references cited that would overcome the 103(a) rejections applied against the claims, the rejection is therefore sustained.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any



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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles

Patent Examiner

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JJG

October 25, 2006

  
DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
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